

Water Quality Advisory Group

April 12, 2000

Minutes

Board Members present: Ron Wukasch, Tom Anderson, Bill Beranek, Bowden Quinn, Mayor Margerum, Beth Admire, Sherry Schnapp, Senator Gard, Melanie Darke, Matt Rueff and John Fekete.

Audience: Jan Henley, Mary Uhler, Harold Dungan, Lonnie Brumfield, Jack Wittman, Glenn Pratt, Bob Johnson, Neil Parke, Lori Renshaw, Kari Simonelic, Maggie McShane, Tonya Galbraith, Jane Dustin and Tom Dustin, Mary Ellen Gray.

Introductions

John: Federal TMDL update – Cyndi Wagner

Cyndi – Review of federal TMDL highlights.

Ron: Magnitude of USDA's funding levels for FY 2001?

Matt: Do not have a specific number

Cyndi: Review of TMDL schedule of 15 years

Tom: When will IDEM Finish and implement the TMDLs on the schedule?

Matt: Some will be completed earlier than others.

Cyndi: Review of Pronsolino vs. USEPA

Waters polluted by only non-point source (addressed only in 319). EPA has authority to approve or disapprove a TMDL. On EPA's website. National Wildlife Federation: "Code Red for Watersheds" – Indiana Report Card. No one got an "A", handful had a "B", few more a "C" – Indiana had a "D" however our score should have been a "C". In some categories we received the highest score. We still have a way to go, but we are working to improve our grades. *email address:www.nwf.org

Tom: Legal interpretation – seems to be contradictory – non-issue. Where discussed?

Cyndi: Talked a lot about in press releases.

Tom: Non-point issues solved by State. The issue is to implement the non-point source provisions.

Cyndi: EPA cannot force the implementation of non-point source provisions.

John: Follow up's on 15 year schedule. Cyndi to clarify Tom's questions on legal interpretations.

Ron: What constitutes non-point source? Confined feeding lots – where do they fall?

Reggie: NPDES discharge is considered point source.

Rae: 15 year schedule, seems too long – EPA make increased funding available?

Cyndi: Our schedule not based on funding. EPA makes small amounts of money available.

Matt: Project 2 million dollars per year need projected for TMDL work in Indiana. If we receive more funding we will re-evaluate.

Jane: What record does IDEM have in restoring the 208 impaired water bodies, which ones are point source.

Cyndi: That is part of the TMDL process to evaluate whether point or non-point sources. 305(b) report may show where impairment is coming from.

Matt: Everything will be addressed in TMDL process. 15 year process.

Maggie: 15 year process doesn't limit enforcement action?

Matt: No

Jane: How many of 208 have had enforcement actions taken?

Matt: Don't know off top of head.

Jane: Restoration of waterbodies – without lengthy process of TMDL's

Matt: We still are taking enforcement actions where necessary.

Rae: When or how did IDEM look at e.coli in Wildcat Creek TMDL?

Cyndi: Good e.coli numbers from 1998.

Tom: Draft TMDL for Wildcat Creek available?

Cyndi: Draft TMDL – Kokomo Creek available. E.coli assessment will be expedited by mobile assessment unit we hope to receive this summer.

John: SB 431 – Nancy King

Nancy: Review of SB 431

Questions?

Tom: Do you anticipate some rule making will be simultaneous?

Nancy: Yes. Maybe separate Triennial Review out in order to make some of these deadlines. Will try to streamline where possible.

Tom: Amount of staff and resources needed.

Nancy: OWM hiring rule writers. Because of amount of work that is coming we will need more rule writers.

Rae: This is useful. Could be a list of things that are undefined. Leaves me with a lot of questions.

Nancy: This is an abbreviated list. Any suggestions to improve this, please let me know.

John: Rae's questions:
 What is an existing use?
 What is overall improvement?

Nancy: Existing use – not defined. At least by a practical use form.

Mayor: Very helpful.

Nancy: Maybe detail some things further

Bill: Useful to add net improvements policy by rulemaking somewhere in here.

Nancy: Will try to work something out on specific issues brought up today.

John: This is a good forum for questions.

Glen: CSO deadlines – why can't this be incorporated into guidance that is required by 7/1/00.

John: Status of Wet Weather Technical Advisory Group (WWTAG).

Reggie: 5/5/00 is the next meeting of the WWTAG. We are on our first notice on rulemaking.

John: Report status by next meeting?

Reggie: Yes, will have that by next meeting.

John: Will report to Commissioner. We should probably have representative from agriculture arena.

Matt: TMDL's will be discussed next several months. Will take this back to the Commissioner after we have discussed.

Melanie: Good idea.

Mayor: Maybe someone from Soil and Water Conservation Services?

Matt: TMDL technical group – good idea. Cyndi can coordinate this.

Glen: Letter to Commissioner on the way from Soil and Water volunteering help.

Ron: County Sanitarian?

Matt: Good point.

Rae: Not sure counties will be happy with this idea. Clinton County would be good. Agriculture side: thinking of anyone? Need several representatives.

John: We have considered that we need to fill the agriculture void. Two subcommittees. EQSC – water data task force.

Senator: Haven't spoken with Sturtz and Kuzan. Anticipate prior to 6/00 meeting. Will ask for suggestions on recommendations for individuals to participate. Will send information from LSA to EQSC and interested parties. Send requests to Bob Bond.

Cyndi: TMDL workgroup requirements.

John: This group covers most of these requirements. Do we want to take this on as well? We should think about this. Can discuss now or bring next month.

Bill: Do same way as Wet Weather. Handle some issues but not all. Use Wet Weather as a model.

John: Put together recommendations and get out to folks before next meeting. Rely on Senator Gard to keep us informed after discussions with Kuzan and Sturtz.

Mayor: What about wastewater treatment plant staff?

Senator: Inter-municipal task force?

Bill: TMDL issues. National Wildlife Federation scales – maybe we could help out on that.

John: TMDL workgroup – questions raised last month by Bowden and Tom. Should be addressed by someone.

Comments from group?

Rae: Role of Water Data Task Force?

Cyndi: Program assessment resource needs.

Rae: Concerned more workgroups and more meetings. Should we become the TMDL workgroup?

Melanie: Review our report on what we were to discuss and timeframes.

John: TMDL and EQSC two issues we were to discuss. Will discuss next month. 5/10/00 at 10:00. Julie will get key points out before next month – 4 or 5 bullet points. Take issues and obtain clarity.

Adjournment